

## **PLANNING COMMISSION MINUTES**

**February 6, 2007**

**7:00 P.M.**

Present: Vice-Chairman Tom Smith, Ray Keller, Kirt Peterson, Michael Allen, Mark Green, City Council Representative Barbara Holt, City Engineer Paul Rowland, Planning Director Aric Jensen, and Recording Secretary Connie Feil.

Chairman Clark Jenkins joined the Commission at 7:27 p.m.

Absent: City Attorney Russell Mahan.

Tom Smith welcomed all those present and had all the Planning Commission Members introduce themselves.

Michael Allen made a motion to approve the minutes for January 16, 2007 as amended. Barbara Holt seconded the motion and voting was unanimous in favor.

**1. Consider preliminary and final commercial site plan approval for an addition to a commercial warehouse building located at 1193 S. 425 W., Roger Brasier, applicant.**

Roger Braiser, applicant, was present. Aric Jensen explained that Mr. Brasier is requesting preliminary and final site plan approval for an addition to an existing commercial/industrial building. The building site is located in the Heavy Commercial (C-H) zone and the existing building is a single level warehouse-style structure. The proposed addition will be of similar construction. Total warehouse space is approximately 4800 sq. ft with an office space of approximately 200 sq. ft. The standard of 1 car per 1000 sq. ft of warehouse space, the total number of required parking stalls is 6 spaces. The existing site has 2 spaces, and 4 more will be striped in the existing storage yard located to the rear of the building.

As part of the project, the applicant will add an additional 945 sq. ft of landscaping, which will be located to the rear of the building addition and which will act as a buffer for the adjacent residential neighborhood. The total landscaping as proposed would be approximately 18% of the total site, and which is in excess of the minimum requirement of 15%.

There is no change to the existing on site drainage pattern or the amount of stormwater discharge. However, the applicant will need to make sure that the roof drains and the new landscaping flow away from the building and onto the existing asphalt.

Staff recommends preliminary and final site plan approval for 1193 South 425 West as shown on the submitted plans, and with the following conditions:

1. (2) trees shall be planted in the new landscape area in the rear

2. The building addition shall meet all IBC requirements
3. The building addition shall be constructed of similar materials that match or compliment the existing structure

There was a brief discussion in regards to the fencing abutting the residential neighborhood. The existing fence is a chain link fence with slats and the Commission could require that the fence be replaced with a solid fence. The area between the residents and the business has been used for storage of cars and now will be used for parking. With this area being used as parking a decision was made to leave the existing fence since additional landscaping will be placed in the rear.

Mark Green made a motion to recommend to the City Council preliminary and final site plan approval for 1193 S. 425 W. subject to the conditions outlined by Staff. Kirt Peterson seconded the motion and voting was unanimous in favor.

**2. Consider preliminary and final amended subdivision plat for the Domaine at Highland Oaks located at 3822 S. Highland Court, Barlow Construction, applicant.**

Matt Yeates, representing Barlow Construction, was present. Paul Rowland explained that the Domaine at Highland Oaks PUD, (Doug Harris as the developer), was approved as an 11 unit PUD development built around a single cul-de-sac off of Highland Oaks Drive just above Bountiful Blvd. Over the next couple of years the street and drainage improvements along with 7 of the 11 dwelling units were built. Since all 11 of the units were master planned with the footprint of each shown on the subdivision plat, the buildings were constructed according to the original plan. A year or so ago, a permit was submitted for one of the remaining four pads and the footprint of the proposed building had to be changed to conform to the footprint shown on the recorded plat.

Greg Barlow of Barlow Construction is now requesting a permit to build on Unit 2, one of the three remaining vacant pads. However, Mr. Barlow is requesting to build a home that has a substantially different footprint than the one shown on the plat. He has approached the Homeowners' Association and they have agreed to support his proposal and he is now requesting an amendment to the plat to accommodate the revised plan. Rather than define every jog and corner of the proposed home, the amended plat shows a generic rectangle that will encompass the entire proposed footprint.

Since the proposed home will occupy an existing building pad, there are no concerns about slopes, elevations or other normal worries that Staff typically has with new subdivisions. With the Homeowners' Association's blessing of this idea, Staff has no objections to this amendment.

Staff recommends that the Planning Commission send a favorable recommendation for preliminary and final amended plat approval to the City Council with the following conditions:

1. Submit the plat for recording with all of the current property owners signatures.

2. Submit a current title report.
3. Pay applicable fees.

There was a brief discussion in regards to the proposed footprint vs. the recorded one. The Commission came to the conclusion that since the proposal meets the City Codes and the Homeowners Association has no concerns, the proposal could be approved.

Mark Green made a motion to recommend to the City Council preliminary and final amended subdivision plat at the Domaine at Highland Oaks subject to the conditions outlined by Staff. Michael Allen seconded the motion and voting was unanimous in favor.

**3. Consider final single lot subdivision approval for 1675 E. Maple Hills Dr., Darrin Sheman, applicant.**

Darrin Sheman, applicant, was present. Paul Rowland explained that Mr. Sheman has been working with his engineer/surveyor to complete the final plat for the American Dream Subdivision. He has submitted a final drawing and is now seeking a final recommendation from the Planning Commission on his plat.

This is the seven acre, one lot, one building pad, subdivision located at the top of Maple Hills Drive next to the Lower Maple Hills reservoir. Mr. Shemon's surveyor has prepared a plat that conforms to the requirements that have been discussed at the conceptual and preliminary phases of this approval process. Some of the conditions that were discussed at preliminary have not yet been met, however, they will need to be completed before final recording of the plat. The full list of conditions shown at preliminary are shown below with those that have been fulfilled on the plat lined-out. New conditions have been added starting with No. 9.

Staff recommends that the Planning Commission send a favorable recommendation for final approval to the City Council with the following conditions:

1. All property be exchanged and recorded prior to the recording of the final plat.
2. ~~An easement be recorded to cover the location of the existing water and overflow lines and the new access way.~~ (On plat)
3. A cross access agreement be worked out for the access to the building site, the reservoir and the cell tower site.
4. A lease agreement with the cell site owner be signed prior to recording of the plat.
5. ~~The single home allowed on the site must have minimal encroachment into the unbuildable area.~~ (Shown on plat)
6. ~~The portion of Maple Hills Drive included as part of the property be dedicated to the city as part of the plat.~~ (On plat)
7. ~~No further division of the 7 acre lot be allowed with the restriction recorded at the county recorders office.~~ (Restriction on plat)
8. Sidewalk along the north side of Maple Hills Drive be extended to the east side of

- the new drive approach.
9. Pay all fees including water, storm water (on one acre only), recording, etc.
  10. The drive approach and shared portion of the driveway will be constructed and maintained by the homeowner to a standard that can handle heavier than passenger vehicle traffic.
  11. The improvement bond for the new walk and drive approach and to protect all of the existing improvements will be posted by the home owner at the time a building permit is issued on the lot.
  12. Complete minor corrections to the plat and resubmit with a current title report.

Michael Allen made a motion to recommend to the City Council final subdivision approval for American Dream Subdivision subject to the 8 uncompleted conditions outlined by Staff. Mark Green seconded the motion and voting was unanimous in favor.

#### **4. Planning Director's report.**

Fred Cox, representing John Hepworth, was present. Aric Jensen presented a site plan of the downtown property owned by John Hepworth. There was a discussion with some concerns and suggestions, which Mr. Jensen noted.

#### **5. Discuss meeting procedural policies.**

Aric Jensen suggested that a policy be made with guidelines such as internal policies, meeting rules and procedures for meetings held by the City. The Planning Commission has the ability to establish rules and guidelines for how its meetings are conducted (non-ordinance procedural-type rules). Mr. Jensen suggested the following basic rules of procedure that the Commission could adopt

##### **Item 1 Speaking Rules**

1. The Chairman may modify and/or establish any speaking rules deemed necessary for the orderly conduct of a meeting or specific agenda item
2. The default speaking order for any agenda item shall be:
  - a. Staff
  - b. Applicant
  - c. Public Hearing/public comment period
  - d. Applicant closing comments
  - e. Staff closing comments
  - f. Commission discussion and questions (the Commission may address and receive a response from anyone present)
  - g. Commission action

3. The default speaking period shall be:
  - a. Staff - as necessary
  - b. Applicant - A maximum of 10 minutes for opening comments and 5 minutes for closing comments
  - c. Public - A maximum of 3 minutes for each individual choosing to speak
4. Any person speaking out of turn or exceeding the allotted time may be deemed out of order and may be forcibly restrained or removed if necessary

### **Item 2 Opening and closing a Public Hearing**

1. The Chairman, at his or her discretion, shall determine when to open, close, and/or re-open a Public Hearing or period of public comment.
2. The Planning Commission may overturn the Chairman's decision to open, close, and/or re-open a Public Hearing or period of public comment if at least 4 Commission members vote in favor of doing so

### **Item 3 Order of succession**

1. The Chairman, Vice Chairman, or Acting Chairman, in that order, shall conduct any meeting
2. The Chairman and Vice Chairman shall be elected and shall serve as set forth in the Bountiful City Land Use Ordinance
3. The longest serving Commission member present at any meeting shall be the Acting Chairman

There was a discussion on the benefits of establishing public hearing procedures. Having a policy in place could eliminate a lot of time and confusion.

It was suggested to change the following:

### **Item 1 Speaking Rules**

3. Public - A maximum of 3 2 minutes for each individual choosing to speak
4. No duplicating testimony

It was suggested to explain to the public, before an item is discussed, the new procedure so all in attendance understand the policy.

Mr. Jensen will do some further study on procedures that other cities may use for their public meetings and present the results at another meeting.

Meeting adjourned at 8:15 p.m.